

Application No. 10/782,731
Reply to Office Action of September 25, 2007

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Docket No.: 60893(70840)

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REMARKS

In the Office Action dated September 25, 2007, claims 1-3, 5-10, 12, 13 and 16-18 are pending, claims 1-3, 5-10, 12 and 13 are rejected and claims 16-18 are withdrawn from consideration. Reconsideration is requested for at least the reasons discussed hereinbelow.

Applicant requests that claims 16-18 be rejoined in this application upon allowance of claim 12 from which they depend.

The above amendments are made to more particularly point out and distinctly claim the subject matter regarded as invention. Support for the amendments can be found throughout the original application; see, particularly Figs. 2 - 3E and corresponding disclosure in the specification. In particular, the concave region in the upper surface allows for the lower interlayer lens 21a to be provided therein so as to be aligned with the upper interlayer lens 21a along the central axis D-D'.

Claims 1-3, 5, 7-10, 12 and 13 are rejected under 35 U.S.C. §102(c) over Nakai et al. (US Pub. 2003/016879; "Nakai"). Nakai fails to disclose a transparent layer having a concave region formed over the opening region of the of the light shielding layer. Thus, Nakai does not have and fails to address the problem associated with the interlayer lens as discussed in the background portion of the above application and illustrated in Fig. 4, which is solved by the present invention.

Regarding claim 3, the Examiner states that Nakai discloses transparent film 46 has a concaved portion. Applicant submits that transparent film 46 illustrates a convex portion, which is not the same as the concave portion in the transparent film 20 as illustrated in present Fig. 2. This is made clearer by the above amendments to the claims.

Thus, it is not seen how the present invention is taught or would have been obvious to one of ordinary skill in the art by Nakai.

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Claim 6 is rejected under 35 U.S.C. §103(a) over Nakai in view of Uya (US 7,075,164). Nakai is discussed above. Uya fails to make up for the deficiencies in Nakai. Uya also fails to teach or suggest a transparent layer having a concave region formed over the opening region of the of the light shielding layer, as claimed herein.

Thus, it is not seen how the present invention would have been obvious to one of ordinary skill in the art in view of any combination of Nakai and Uya.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

If for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge Deposit Account No. 04-1105.

Dated:

26 Dec, '07

Respectfully submitted,

By

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